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FOR IMMEDIATE RELEASE:
November 16, 2010

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**ABCC PLANS TO FILE EMERGENCY REGULATION ON
SALE OF ALCOHOLIC BEVERAGES CONTAINING CAFFEINE AND OTHER
CHEMICAL STIMULANTS**

BOSTON, MA - The Massachusetts Alcoholic Beverages Control Commission announced that it plans to file an emergency regulation on Monday, November 22, 2010 regulating the sale of certain alcoholic beverages, including alcohol energy drinks that contain stimulants such as caffeine, guarana and other herbal or chemical stimulants. Such beverages like Four Loko and all other similar products would be banned unless they meet the requirements of Massachusetts State Law and the conditions set by the Alcoholic Beverages Control Commission.

Alcoholic energy drinks, such as Four Loko, classify themselves as malt beverages. However the Alcoholic Beverages Control Commission suspects this classification may be misleading consumers about the true contents of the products being sold. The emergency regulation clarifies that no malt beverages can be sold in Massachusetts if they include alcohol, caffeine, guarana, taurine, ginkgo biloba, ginseng, or other herbal stimulant or chemical stimulant.

As a result of the ABCC's clarification, the importation and manufacturing of these products would cease immediately in Massachusetts. Vendors who have licenses to sell wine and malt beverages would be prohibited from selling these products. Moreover, products such as alcohol energy drinks, which contain certain ingredients, would need to be relabeled to reflect the correct classification, and repackaged in a resealable container.

"The ABCC recognized the serious public safety questions that have been raised about alcoholic drinks like Four Loko and has reviewed the matter thoroughly," said Kim Gainsboro, Chairman of the ABCC. "Four Loko is not a malt beverage under Massachusetts State Law and therefore cannot be sold, labeled, or packaged as a malt beverage."

The Alcoholic Beverages Control Commission sent an advisory to the local licensing authorities on Friday November 12, 2010, informing them that the agency was evaluating the situation. Trade representatives of licensed wholesalers and retailers were informed today of the Alcoholic Beverages Control Commission's intention to issue an emergency regulation. The emergency regulations are contemplated to go into effect on Monday, November 22, 2010.

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